

**FILED**

OCT 18 2019

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOISCLERK U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS  
EAST ST. LOUIS OFFICE

UNITED STATES OF AMERICA,

Plaintiff,

vs.

AL STEWART, JR.

Defendant.

CRIMINAL NO. 19-mj-8153-GCSTitle 18, United States Code,  
Section 922(g)(3)**CRIMINAL COMPLAINT**

I, Matt Inlow, Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

**COUNT 1****UNLAWFUL USER OF CONTROLLED SUBSTANCE IN POSSESSION OF A FIREARM**

On or about August 23, 2019, in St. Clair County, within the Southern District of Illinois, and elsewhere

**AL STEWART, JR.,**

defendant herein, then knowingly being an unlawful user of marijuana, a controlled substance as defined in Title 21, United States Code, Section 802, did knowingly possess, in and affecting interstate commerce, a firearm being a Glock, Model 22, .40 caliber pistol, bearing serial number LXT980, in violation of Title 18, United States Code, Section 922(g)(3).

**AFFIDAVIT**

Your Affiant, Matt Inlow, states that I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives ("ATF"), currently assigned to the Fairview Heights Field Office in Fairview Heights, Illinois, and have been so employed since September of 2001. I am

currently assigned to the Fairview Heights Field Office in Illinois. Prior to becoming an agent with ATF, I was a Uniformed Division Officer with the United States Secret Service. I am familiar with and have utilized normal methods of investigation, including, but not limited to, visual surveillance, questioning of witnesses, the use of search and arrest warrants, the use of informants, the use of pen registers, and the use of court- authorized wire intercepts. I have applied for and been granted numerous criminal complaints and search warrants.

The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents, other law enforcement officers and witnesses. In support of this Complaint, your Affiant states as follows:

1. On August 22, 2019, a search warrant was authorized by the St. Clair County, Illinois Circuit Court for the residence located at 1426 North 42<sup>nd</sup> Street in East St. Louis, Illinois, which is a single-story brick ranch-style house with an elevated front porch leading to two front doors facing west, with the numbers "1426" affixed to the house above the mailbox on the left-side door of the residence. The search warrant was based upon drug activity that was occurring at the residence. Specifically, an Illinois State Police confidential source had provided information that Christopher R. Grant was selling crack cocaine and cannabis from the house located at the address of 1426 N. 42<sup>nd</sup> Street, East St. Louis, Illinois. The confidential source had also personally seen multiple firearms in the residence. The confidential source agreed to work in an undercover capacity for the Illinois State Police and on three different days in July and August 2019 made controlled purchases of crack cocaine from Christopher R. Grant. During two of the controlled purchases, Grant sold the CS crack from inside the right door of the residence located at 1426 N. 42<sup>nd</sup> Street. For the other controlled purchase Grant sold the CS crack while sitting in a car in the driveway of the same residence. During the last controlled purchase, the confidential source observed a Draco

AK-47 assault rifle, an AR-15 assault rifle, and a semi-automatic handgun in plain view while inside the right-side door of the residence.

2. On August 23, 2019 at approximately 5:32 a.m., Illinois State Police, Special Weapon and Tactics (SWAT) executed the authorized search warrant at the residence located at 1426 N. 42<sup>nd</sup> Street in East St. Louis, Illinois. During execution of the warrant, Illinois State Trooper Nicholas Hopkins #6141 was standing on the front porch. Before the team attempted to make entry into the home, an occupant of the residence discharged a firearm from inside the right side of the house and shot Trooper Hopkins in the head. Agents responded with directed fire toward the residence and retreated, moving Trooper Hopkins off the porch. Trooper Hopkins was transported to St. Louis University Hospital where he was pronounced dead at 6:10 p.m. on August 23, 2019.

3. After retreating from the residence, Illinois State Police SWAT commanded all occupants to come out with their hands up. After approximately thirty minutes, three people exited from the left door of the residence and were taken into custody. The three individuals were identified as Al Stewart, Jr., Christopher R. Grant, and a 16-year-old female. No one else was present inside the building during the events.

4. During a subsequent search of the residence pursuant to search warrants issued by the St. Clair County Circuit Court, investigators determined that the interior of the house was modified with a divider wall, but that the two sides were connected by a passage through the attic rafters. On the right-side of the residence, investigators observed and photographed a ladder propped directly underneath the attic pass through to provide access to the other side. Therefore, although divided by a wall, the right and left sides of the residence could be accessed via the respective separate front doors or through the passage in the attic rafters.



5. During the search of the building, Illinois State Police agents and Crime Scene Investigators recovered the following nine firearms and multiple magazines of ammunition from the listed locations:

- a. Glock, Model 22, .40 caliber pistol, Serial Number LXT980; loaded with 22 rounds of ammunition in an extended magazine with one round in the chamber; recovered from the left-side of the residence in a kitchen cabinet;
- b. Glock, Model 19, 9mm caliber pistol, Serial Number ACXA695; loaded with a round in the chamber and an extended magazine attached with spent casings on the floor; recovered in the middle room of the right-side of the residence;
- c. Mag. Tactical Systems LLC, Model NG-G4, multi-caliber rifle, Serial Number MTS08854; loaded with a large capacity magazine with a round in the chamber; recovered from the basement floor on the right-side of the residence;
- d. Bushmaster AR-15 style, Model Carbine 15, .223/.556 caliber pistol, Serial Number CBC045924 (stolen from a licensed firearms dealer); loaded with one round in the chamber, no magazine attached but a loaded magazine on the floor nearby; recovered from the basement floor on the right-side of the residence;
- e. Romarm Cugir AK-style Model Draco, 7.62X39 caliber pistol, Serial Number PE-4350-2018 RO; loaded with one round in the chamber but no magazine attached; recovered from the basement;
- f. Smith and Wesson, Model 36, .38 Special caliber revolver, Serial Number 489356; unloaded; recovered from a duffle bag found in the rafters of the attic;
- g. Berretta, Model APX PB, 9X19 caliber pistol, Serial Number A007963X; recovered from a duffle bag found in the rafters of the attic;

- h. Glock, Model 21 Gen 4, .45 auto caliber pistol, Serial Number XHD639 with matching loaded magazine not attached; recovered from a duffle bag found in the rafters of the attic;
  - i. Taurus, Model PT809C, 9mm pistol, Serial Number TKN247331 (reported stolen from a residence in Centralia); recovered from a duffle bag found in the rafters of the attic;
  - j. One loaded 9mm magazine; three unloaded 9 mm magazines, and two unloaded .40 caliber magazines; recovered from a duffle bag found in the rafters of the attic.
- 6. Investigators also seized from the residence:
  - a. 12 Cannabis plants and other cannabis grow material from the southeast bedroom closet on the right-side of the residence;
  - b. 35 cannabis plants, a grow light, and LED grow light panels in the basement on the left-side of the residence; and
  - c. \$497.20 United States currency and approximately 15 grams of cannabis from a pair of pants located in the bedroom of the left-side of the residence.

7. During a Mirandized interview with the Defendant on August 23, 2019, Stewart Jr. admitted that he was living on the left-side of the residence. Stewart Jr. admitted that in the early morning hours of that day he was sleeping in the bedroom of the left-side with a girl when he heard very loud noises outside the residence. He stated he got up and walked to the kitchen at which time he heard gunshots. Stewart Jr. stated that when he heard gunshots he grabbed a Glock .40 caliber firearm that he kept hidden in the vent in the kitchen. Stewart Jr. stated that he “put it back up” when he heard the police announce “Illinois State Police” and went back into the bedroom. He

stated a while later Chris Grant came to his room, told him the police were there, and they all three exited from the left side of the residence and were taken into custody. Stewart Jr. admitted that he knew the Glock .40 caliber handgun was in the kitchen vent because he had found it there when he moved into the residence, had picked it up and handled it, and then put it back in the vent to keep it there if he needed it.

8. During the Mirandized interview, Stewart Jr. also admitted that he was currently on juvenile probation for a case in which he was charged with unlawful possession of a .38 caliber revolver and a small amount of cannabis. He admitted that he knew he had outstanding warrants for that case. Stewart Jr. also admitted that since he has been on probation he handled another .38 caliber handgun someone in his family got for him about a month prior after he had been shot at by members of the Kutt Boys gang while he was in the John DeShields public housing unit in East St. Louis. Stewart Jr. also stated that he had handled a black or dark blue Taurus 9 mm handgun within the two days preceding and that the last time he fired a gun was probably on the 4<sup>th</sup> of July. The photograph attached hereto, taken on a day prior to August 23, 2019, depicts Stewart Jr. in possession of two firearms both with an extended magazine. See Exhibit 1.

9. When asked about his use and/or distribution of controlled substances, Stewart Jr. admitted that he is a regular user of cannabis. Stewart Jr. stated that he smokes approximately three to four cannabis “blunts” per day and spends approximately \$35 per day to purchase cannabis. Stewart Jr. also admitted that he sold cannabis while in the John DeShields public housing project in East St. Louis. Stewart stated that officers would find approximately 18-19 grams of cannabis at the house in the left-side bedroom where he was staying.

10. On March 2, 2018, Stewart Jr. admitted to a juvenile delinquency petition charging him with Unlawful Possession of a Firearm (by a person under 18 years of age) and Possession of



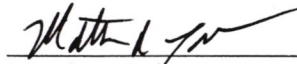
Cannabis and was placed on 18 months supervision for those offenses in the Circuit Court of St. Clair County, Illinois and was on supervision at the time of the instant offense.

11. Since being placed on juvenile supervision, Stewart Jr. has been arrested for being in possession of cannabis three separate times. Specifically, on January 13, 2019, Stewart Jr. was identified as a back seat passenger in a vehicle that had fled from police officers from three different jurisdictions. When Stewart Jr. was taken into custody, law enforcement officers located two clear plastic bags containing suspected cannabis and \$637 in United States currency. On February 27, 2019, Stewart Jr. was arrested by the Illinois State Police for criminal trespass to state supported property where he was also found to be in possession of approximately 55 grams of cannabis. On May 27, 2019, Stewart Jr. was arrested by the East St. Louis Police Department for possession of cannabis when he was found in possession of approximately 49 grams of cannabis and \$950 of United States currency.

12. The Glock, Model 22, .40 caliber pistol, serial number LXT980 that Stewart Jr. admitted possessing was manufactured in Austria and imported by Glock, Inc. in Smyrna, Georgia and therefore travelled outside of Illinois and in interstate commerce prior to his possession of it on August 23, 2019.

13. Upon entry of test fired cartridges from the Glock, Model 22, .40 caliber pistol, serial number LXT980 into the National Integrated Ballistic Information Network (NIBIN), it was determined that the firearm is forensically linked to three other shooting incidents, including: a double homicide in East St. Louis, Illinois on October 3, 2018, an attempted homicide in Washington Park, Illinois on February 15, 2018, and a non-fatal shooting that occurred in East St. Louis on December 27, 2016.

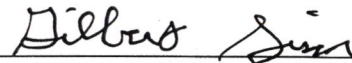
FURTHER YOUR AFFIANT SAYETH NAUGHT.



Matthew Inlow,  
Special Agent  
Bureau of Alcohol, Tobacco, Firearms, and Explosives

State of Illinois                    )  
  )   SS.  
County of St. Clair                )

Sworn to before me and subscribed in my presence on the 18th day of October 2019, at East St. Louis, Illinois.



GILBERT SISON  
United States Magistrate Judge



STEVEN D. WEINHOEFT  
United States Attorney